
CODE ADOPTION PROCESS

TO: George W. Britton
Deputy City Manager

FROM: Kenny W. Harris, P.E
Development Services Director

SUBJECT: CODE ADOPTION PROCESS

This report requests Ethics and Public Safety Subcommittee approval of the Code Adoption Process approved by the Development Advisory Board and approval of the timelines for code review and adoption outlined in the report.

THE ISSUE

At their September 21, 2000 meeting, the Development Advisory Board (DAB) recommended a five-step code adoption process for review and adoption of new construction codes. The Five-Step Process is in alignment with Resolution No. 19015, adopted by City Council in December 1997, requiring that all City of Phoenix construction codes and standards be developed in a consensus process. The steps are as follows:

STEP 1 Consensus Review	STEP 2 Staff Review	STEP 3 DAB Subcommittee Review	STEP 4 DAB Recommendation	STEP 5 Council Action
<ul style="list-style-type: none">▪ Review Codes for compliance with Resolution No. 19015 for Consensus	<ul style="list-style-type: none">▪ Staff reviews codes▪ Compare to current codes▪ Forms an amendment package	<ul style="list-style-type: none">▪ DAB Subcommittee formed with staff members▪ Public meetings held on proposal	<ul style="list-style-type: none">▪ DAB Board holds public hearing on proposal▪ Makes recommendation to City Council	<ul style="list-style-type: none">▪ City Council Subcommittee holds public hearing▪ Council reviews and adopts code package

This process would be used for the adoption of all future City of Phoenix codes. The 1999 National Electrical Code (NEC) has been reviewed by staff and recommended by the Development Advisory Board. Following approval by the Ethics and Public Safety Subcommittee, it will be submitted to City Council for adoption. Codes that are now

beginning the process of review and adoption are the 2000 Uniform Mechanical Code, State Plumbing Code, Uniform Fire Code, and the NFPA Building Code.

OTHER INFORMATION

In December of 1997, the City Council adopted Resolution No. 19015, which ensured that City of Phoenix construction codes would be consensus based. Since that resolution was adopted, the 1997 Uniform Building Code (UBC) and the 1997 Uniform Fire Code (UFC) have been adopted by the City Council. In June 1999, the Building Safety Advisory Board recommended approval of the 1997 Uniform Mechanical Code (UMC). The 1997 UMC was not sent to City Council for adoption because of concerns and questions about its status as a consensus-based code. Staff then determined that it did not adhere to Resolution No. 19015.

Proposed Code Adoption Process

The Development Services Department has recently developed a process for code adoption that will first review available codes for compliance with Resolution No. 19015 and ensure proposed codes are consensus based. The next step in the proposed process is staff review. A formal process will take place to ensure staff has input into the amendments and administrative processes necessary to effectively use the codes and standards.

Input from staff will also occur in Step 3, with staff representatives participating with DAB members and community representatives as DAB Ad Hoc Subcommittee members. DAB Ad Hoc Subcommittee meetings will be public meetings and participation will be sought from all interested parties.

Once the Subcommittee completes their review and forms a recommendation, the item will be introduced to the entire Development Advisory Board during a public hearing. After the public hearing, the DAB could take action to recommend the code provision to the Council for adoption or ask the Subcommittee to revise the recommendation.

Staff anticipates the sequencing of City of Phoenix construction codes in the following time frames:

- 1) **National Electrical Code (NEC)** – The 1999 NEC has been recommended by the DAB and will be presented to City Council this month.
- 2) **Uniform Mechanical Code (UMC)** – Consensus review of mechanical codes started November 1, 2000. It has been determined that the 2000 Uniform Mechanical Code (UMC) is a consensus code and staff review has started. It is anticipated that the 2000 UMC will be submitted for City Council action by June 2001.
- 3) **State Plumbing Code** – The State Plumbing Code is also a consensus code and will begin staff review in the next few weeks. Council action for the State Plumbing Code will also be sought by June 2001.

- 4) **Uniform Fire Code (UFC)** – The 2000 Uniform Fire Code (UFC) can either be reviewed for adoption in the current version, or adopted as a package with the building code. Staff is reviewing the benefits of each approach.
- 5) **Building Code** – The National Fire Protection Association (NFPA) has begun compiling a building code. Initial reviews of the development process of the NFPA Building Code by DSD staff have shown it to be consensus based and thus adheres to Council Resolution No. 19015. Larry Litchfield, the City of Phoenix Building Official, is serving on the NFPA Building Code Development Committee, a national committee for the development of the NFPA Building Code. The schedule for the creation of this code anticipates that it will be ready for adoption by May 2002. Staff has begun reviewing early drafts.

RECOMMENDATION

Staff recommends Ethics and Public Safety Subcommittee approval of the Five Step Code Adoption Process presented above. This process has been recommended by the Development Advisory Board. It is further recommended that the Ethics and Public Safety Subcommittee approve the timelines proposed for review and adoption of the 2000 Uniform Mechanical Code, State Plumbing Code, Uniform Fire Code, and the NFPA Building Code.